

**CITY OF OAKLAND**  
**AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 DEC -1 PM 3:00

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: December 14, 2004

**RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CONCEPT MARINE ASSOCIATES, INC. FOR THE CITYWIDE SIDEWALK SURVEY FOR AN AMOUNT NOT TO EXCEED NINE HUNDRED SEVENTY THOUSAND DOLLARS (\$970,000)**

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**SUMMARY**

A resolution has been prepared authorizing the City Administrator to enter into a professional services agreement with Concept Marine Associates, Inc. (CMA) to provide a citywide sidewalk survey for an amount not to exceed \$970,000. The survey will include an inventory of the City's sidewalk network, damaged sidewalk locations, and locations where the sidewalk is out of compliance with the Americans with Disabilities Act (ADA) and California Code of Regulations (Title 24). The survey will also record the location and condition of street trees, street and regulatory signs, and curb markings.

It is recommended that the resolution be approved.

**FISCAL IMPACTS**

This professional services agreement will be for the amount of \$808,385 with a 20% contingency for a total amount not to exceed \$970,000. The following funds are available from the ADA Transition Plan Municipal Improvement Capital Fund and Measure B for the sidewalk survey:

Description	Source	Fund	Organization	Account	Project	Amount
Sidewalk Survey	Measure B ACTA	2210	92452	78811	C250110	149,648.51
Sidewalk Survey	ADA MIC	5500	92452	78811	C250120	150,000.00
Sidewalk Repair	Measure B ACTA	2210	92452	78811	C78041	670,351.49
					<b>Total</b>	<b>\$970,000.00</b>

The Contract Compliance assessment will be set aside upon award of the contract. Measure B funds are not eligible for the 1.5% Public Art Assessment.

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## **BACKGROUND**

The City has approximately 30 million square feet of sidewalks and lacks a program for routine inspections of City sidewalks. The only inspections performed are complaint driven. The repair backlog database based on complaints has approximately 15,000 repair locations. Estimates based on this backlog show that approximately one-third (about 10 million square feet) of the total sidewalks may be damaged.

The proposed Citywide sidewalk survey will provide a comprehensive inventory of sidewalks, locate and catalogue all sidewalk damage, and identify access barriers for persons with disabilities. The survey will also record the location, type, and condition of existing street trees. With the information obtained from the survey, the City will be able to catalog, prioritize and document the repairs necessary to provide safe access to City sidewalks for all pedestrians.

## **KEY ISSUES AND IMPACTS**

The City issued a Request for Proposals (RFP) in March 2004 for professional consulting services to conduct a Citywide Sidewalk Condition / ADA Survey. Six firms responded to the RFP. A panel of five representatives from the City Administrator's Office, Public Works Agency, and Office of Information Technology reviewed the six proposals. Upon the review of the proposals, the top three teams were invited for interviews. These teams were comprised of the following firms:

1. CMA and Geotopo
2. Harris and Associates, Ghirardelli Associates, Towill, Inc, Margen and Associates, and HortScience, Inc.
3. C2PM, Nichols Consulting Engineers, Alta Planning and Design, Steve Batchelder Associates, and Cordoba Corporation.

The firms were evaluated on the following criteria:

- Relevant experience
- Qualifications of the project manager
- Cohesiveness and appropriateness of the project team
- Approach, understanding, and management of the project
- Quality and completeness of the presentation
- Responsiveness to questions

Based on the criteria, the interview panel ranked the team headed by CMA as the most qualified firm to provide the Sidewalk Condition / ADA Survey. The CMA team has completed several similar projects throughout the state and has recently completed the curb ramp inventory and street centerline update for the City of Oakland.

The CMA team is comprised of 10% LBE and 20% SLBE which exceeds the City's requirements. The Contract Compliance evaluation forms for the three firms interviewed are in *Attachment A*.

At the October 19, 2004 City Council meeting, an inquiry was made by one of the proposing firms to the City Council regarding the validity of the selection process for this project. While no formal protest was filed with the City of Oakland, the process was reviewed by City staff from the Public Works Agency and the City Attorney's Office and it was determined that the selection process was in conformance with Administrative Instruction 150 (Professional or Specialized Service Contracts).

The survey is scheduled to begin January 2005 and be completed within one year. The information from the survey will be used to transition the sidewalk repair program from a complaint driven program to a condition based program and to implement an ADA transition plan.

## **PROJECT DESCRIPTION**

The primary purpose of this project is to develop a centralized citywide sidewalk inventory database and Geographical Information System (GIS) for tracking and monitoring all sidewalks in need of repair due to damage and / or non-compliance with disability regulations. In addition, an inventory and GIS for all tree and tree well locations, street and traffic signs, and curb markings will be created.

## **SUSTAINABLE OPPORTUNITIES**

Economic: CMA proposes to use local internships and community-based job programs, such as the Cypress Mandela / WIST Training Center, to complete the sidewalk inventory.

Environmental: The Citywide sidewalk survey will be used as a tool to identify and repair all damaged and inaccessible sidewalks. Improvements to the City's sidewalk network will promote and encourage alternative modes of transportation.

Social Equity: The use of the sidewalk survey will target areas with the highest pedestrian use and worst damage first; thereby, ensuring equity throughout the City.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

Using the survey data, the City will draft an ADA public right of way transition plan to effectively plan and implement disability-related improvements and demonstrate its intent to

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comply with the ADA. The plan will catalog, prioritize, and document improvements necessary to ensure equal access for pedestrians with disabilities to the public right of way.

## RECOMMENDATION AND RATIONALE

Staff recommends that the City Council approve the resolution authorizing the City Administrator to enter into a professional services agreement with Concept Marine Associates for the Citywide Sidewalk Survey in an amount not to exceed nine hundred seventy thousand dollars (\$970,000).

## ACTION REQUESTED OF THE CITY COUNCIL

Approve the resolution authorizing the City Administrator to enter into a professional services agreement with Concept Marine Associates for the Citywide Sidewalk Survey in an amount not to exceed nine hundred seventy thousand dollars (\$970,000).

Respectfully submitted,

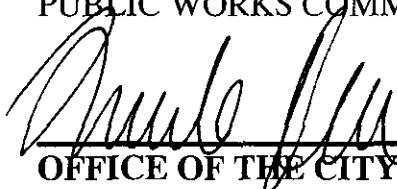


**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Michael Neary, P.E.  
Interim Assistant Director, Public Works Agency  
Design and Construction Services

Prepared by:  
Elizabeth Sheldon, P.E.  
Pavement Management Supervisor  
Engineering and Design / Right of Way

APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:



**OFFICE OF THE CITY ADMINISTRATOR**

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### CONTRACT COMPLIANCE & EMPLOYMENT SERVICES EVALUATION FORM

Project No.: C250110

Project Name: Sidewalk Condition/ADA Survey

Contractor: Harris & Associates

1. Did the 20% requirements apply? YES

2. Did the contractor meet the 20% requirement? YES

a)	% of LBE	<u>10%</u>
b)	% of SLBE	<u>10%</u>

3. Did the contractor receive preference points? YES  
(If yes, list the points received) 2

4. Additional Comments.

5. Date evaluation completed and returned to Contact Admin./Initiating Dept. 5/3/2004

Reviewing

Officer: Shelley Darenburg

Date: 5/5/04

Approved By: Deborah Baum

Date: 5/5/04

## LBE/SLBE Participation Harris & Associates

Project Name: Sidewalk Condition/ADA Survey

Project No.: C250110										
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Only		
								Ethn.	MBE	WBE
PRIME	Harris & Associates	Oakland	CB	10%		10%	70%			
Subconsultant	Ghiradelli Associates	Oakland	CB		10%	10%	10%			
Subconsultant	Towill, Inc.	SF	UB				6%			
Subconsultant	HortScience, Inc.	Pleasanton	UB				13%			
Subconsultant	Margen & Associates	Oakland	UB				1%			
<b>Project Totals</b>				10%	10%	20%	100%		0%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>LBE/SLBE 20%</b>		<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Legend</b>	LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise			UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise						

**Contract Compliance and Employment Services Evaluation Form****Project No.:****Project Name:** Citywide Sidewalk Condition/ADA Survey**Contractor:** Concept Marine Associates, Inc.**Engineer's Estimate:** 0**Contractor's Total Bid:** 574,267**Over/Under the Engineers Estimate:** 0.00**Contractor's Adjusted Bid Amount:**1. Does the 20% L/SLBE requirement apply? **YES**2. Did the contractor meet the 20% requirement? **YES**

a)	% of LBE	<u>10.00%</u>
b)	% of SLBE	<u>20.00%</u>

3. Did the contractor meet the Trucking requirement? **N/A**

a)	% of Local Trucking	<u>0%</u>
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4. Did the contractor earn bid discounts? **No**  
(If yes, list amount earned) **3**

5. Additional Comments.

6. Date evaluation completed and returned to Contact Admin./Initiating Dept.

10/4/2004

**Reviewing****Officer:**Shelley Darsenburg**Date:**10/4/04**Approved By:**Robert Bauer**Date:**10/5/04

## LBE/SLBE Participation Concept Marine Associates, Inc.

Project Name: **Citywide Sidewalk Condition/ADA Survey**

Project No.:		Engineers Estimate:			Under/Over Engineers Estimate:					
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	TOTAL LBE/SLBE	TOTAL Dollars	For Tracking Only		
								Ethn	MBE	WBE
<b>PRIME</b>	Concept Marine Associates, Inc.	Oakland	CB	57,427		57,427	459,414			
Subconsultant	PGA Design, Inc.	Oakland	CB		114,853	114,853	114,853			\$114,853
<b>Project Totals</b>				\$57,427	\$114,853	\$172,280	\$574,267		\$ -	\$114,853
				10%	20%	30%	100%		0%	20%
								<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>LBE/SLBE 20%</b>				
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### CONTRACT COMPLIANCE & EMPLOYMENT SERVICES EVALUATION FORM

Project No.: C250110

Project Name: Sidewalk Condition/ADA Survey

Contractor: C2PM

- 1. Did the 20% requirements apply? YES
  
- 2. Did the contractor meet the 20% requirement? YES
  - a) % of LBE 10%
  - b) % of SLBE 70%
  
- 3. Did the contractor receive preference points? YES  
(If yes, list the points received) 5
  
- 4. Additional Comments.

5. Date evaluation completed and returned to Contact Admin./Initiating Dept. 5/3/2004

Reviewing Officer: Shelley Darenburg

Date: 5/5/04

Approved BY: Deborah Baran

Date: 5/5/04

## LBE/SLBE Participation C2PM

Project Name: Sidewalk Condition/ADA Survey

Project No.: C250110										
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	TOTAL LBE/SLBE	TOTAL %	For Tracking Only		
								Ethn.	MBE	WBE
<b>PRIME</b>	C2PM	Oakland	CB		70%	70%	70%			
Subconsultant	Cordoba Corporation	Oakland	CB	10%		10%	10%			
Subconsultant	Nichols Consulting	Oakland	CB				10%			
Subconsultant	Alta Planning Design	Berkeley	UB				10%			
<b>Project Totals</b>				10%	70%	80%	100%		0%	0%
<b>Requirements:</b> The 20% requirements is a combination of 10% LBE and 10% SLBE participation. An SLBE firm can be counted 100% towards achieving 20% requirements. LBE firms can only be counted up to 10% of the total contract amount.				<b>LBE 10% MAX CREDIT</b>	<b>SLBE 10%</b>	<b>LBE/SLBE 20%</b>		<b>Ethnicity</b> AA = African American A = Asian C = Caucasian H = Hispanic NA = Native American O = Other		
<b>Legend</b>		LBE = Local Business Enterprise SLBE = Small Local Business Enterprise Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise				UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise				

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**OAKLAND CITY COUNCIL**

2011 DEC -1 PM 3:00

RESOLUTION No. \_\_\_\_\_ C.M.S.



INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER IN TO A PROFESSIONAL SERVICES AGREEMENT WITH CONCEPT MARINE ASSOCIATES, INC. FOR THE CITYWIDE SIDEWALK SURVEY FOR AN AMOUNT NOT TO EXCEED NINE HUNDRED SEVENTY THOUSAND DOLLARS (\$970,000)**

**WHEREAS**, the project consists of surveying the City of Oakland’s sidewalks to inventory all damaged sidewalks, ADA non-compliant sidewalks, street trees, street and regulatory signs, and curb markings; and

**WHEREAS**, Concept Marine Associates, Inc., has submitted a proposal to provide professional services to complete the sidewalk survey; and

**WHEREAS**, Concept Marine Associates, Inc. was chosen through the City’s Request for Proposal process as the top rated firm to provide the services; and

**WHEREAS**, Concept Marine Associates, Inc. has met the Local and Small Local Business requirements; and

**WHEREAS**, the City Council finds that this contract is for services of a professional nature; and

**WHEREAS**, there are sufficient funds, from Measure B and the ADA Transition Plan Municipal Improvement Capital Fund, in Projects C250110, C250120, and C78041, for the project; and

**WHEREAS**, the City Council finds that services under contract will be temporary; and

**WHEREAS**, Council finds that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Administrator is hereby authorized to enter into an Agreement with Concept Marine Associates, Inc., to provide professional services for the Citywide Sidewalk Survey in an amount for basic services not to exceed Nine Hundred Seventy Thousand Dollars (\$970,000); and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to approve any subsequent amendments to or extensions of said agreement except those involving compensation or the allocation of additional funds provided that such amendments or extensions shall be filed with the City Clerk’s Office; and be it

**FURTHER RESOLVED:** That a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California